

EXHIBIT 4

Confidential - Per 2004 MDL 1358 Order

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

Methyl Tertiary Butyl:MDL NO. 1358 (SAS)
Ether ("MTBE") :
Products Liability :
Litigation :

In Re:

City of New York

CONFIDENTIAL (Per 2004 MDL 1358 Order)

April 17, 2008

Videotaped Deposition of
JAMES J. ROBERTS, held in the law
offices of McDermott, Will & Emery, 340
Madison Avenue, New York, New York,
beginning at approximately 10:15 a.m.,
before Ann V. Kaufmann, a Registered
Professional Reporter, Certified
Realtime Reporter, Approved Reporter of
the U.S. District Court, and a Notary
Public.

GOLKOW TECHNOLOGIES, INC.
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1 work that you have done prior to this
2 case, have you reviewed any City of New
3 York policies regarding the aesthetic
4 quality of water to be served to its
5 customers before coming here today?

6 A. I am not clear what you
7 mean by "policies."

8 Q. Have you reviewed any
9 document which was issued by the City of
10 New York which includes in it a policy
11 that says, "This is our position
12 relative to the aesthetic quality of
13 water we are going to serve to residents
14 of the City of New York or our
15 customers"?

16 A. I have no recollection of
17 reviewing any document like that, no.

18 Q. In your tenure with the
19 City of New York, are you aware of the
20 City ever formally adopting any policy
21 regarding the aesthetic quality of the
22 water that it will deliver to its
23 customers in writing?

24 A. So -- I am aware of former

1 Commissioner Lloyd making a decision
2 specific to the groundwater system that
3 the utilization of the water from the
4 groundwater system would be contingent
5 upon the quality of that water being
6 at -- either equal to or as close to
7 equal to the quality of the water from
8 our surface water supplies.

9 Q. And approximately when did
10 Commissioner Lloyd make that decision?

11 A. Well, I took over my
12 current position in August of '06 and
13 she left the agency in the fall -- late
14 fall, early winter of last year, which
15 would have been '08. So it was some
16 time in between, probably in '07, but
17 I am not clear about the specific date.

18 Q. And with regard to her
19 decision, did she actually reduce it to
20 writing and distribute it to employees
21 of the department?

22 A. I do not have a
23 recollection that that happened.

24 Q. And when was it that she